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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/586,864	07/21/2006	Hiroshi Kigawa	294031US3PCT	1574

22850	7590	10/15/2007
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ALEXANDRIA, VA 22314		

EXAMINER	
PICO, ERIC E	

ART UNIT	PAPER NUMBER
3654	

NOTIFICATION DATE	DELIVERY MODE
10/15/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/586,864

Applicant(s)

KIGAWA ET AL.

Examiner

Eric Pico

Art Unit

3654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) 3-12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 10/17/2006.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of the invention elected in the reply filed on 07/30/2007 is acknowledged. The traversal is on the ground(s) that "since electronic searching is commonly performed, a search may be made of a large number of, or theoretically all, subclasses without substantial additional effort" a search and examination of the entire application would not place a serious burden on the Examiner. This is not found persuasive because applicant provides no support for the assertion that electronic searching may be made of a large number of, or theoretically all, subclasses without substantial additional effort. Although electronic searching is commonly performed, a search a large number of subclasses still takes substantial additional effort.

The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim(s) 1 and 2 is/are rejected under 35 U.S.C. 102(b) as being anticipated by Kobayashi et al. U.S. Patent No. 6247557.

4. **Regarding claim 1**, Kobayashi et al. discloses a machine room-less elevator in which a car 4 raising and lowering along guide rails 9a, 9b and a counterweight 6 raising and lowering in an opposite direction of the car along a rear surface of the car 4 are driven by a hoist 2A, 2B provided at a top of a hoistway, comprising first and second hoist ropes 7A, 7B of two systems having one ends fixed to right and left sides of the car 4 at positions 4ba, 4bb nearly symmetrical with respect to a center of gravity of the car 4 in a horizontal plane of the car 4 and another ends fixed to the counterweight 6, wherein one of the first and second hoist ropes 7A, 7B is driven by the hoist 2A, 2B, shown in Figures 13 and 14.

5. **Regarding claim 2**, Kobayashi et al. discloses the first and second hoist ropes 7A, 7B are fixed, at the another ends thereof, together to the counterweight 6, shown in Figures 13 and 14.

Conclusion


6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kobayashi et al. U.S. Patent No. 6382360, Kobayashi et al. U.S. Patent No. 6390243, Yasuda et al. U.S. Patent No. 6488124, Kobayashi et al. U.S. Patent No. 6491136, Hashiguchi U.S. Publication No. 2006/0175138.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Pico whose telephone number is 571-272-5589. The examiner can normally be reached on 6:30AM - 3:00PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on 571-272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EEP


Peter M. Cuomo
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